



Senate

General Assembly

February Session, 2016

File No. 474

Senate Bill No. 330

Senate, April 5, 2016

The Committee on Planning and Development reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING DEMOLITION PERMITS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-406 of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2016*):

4 (a) No person shall demolish any building, structure or part thereof
5 without obtaining a permit for the particular demolition undertaking
6 from the building official of the town, city or borough wherein such
7 building or part thereof is located. No person shall be eligible to
8 receive a permit under this section unless such person furnishes to the
9 building official: (1) Written notice of financial responsibility in the
10 form of a certificate of insurance specifying demolition purposes and
11 providing liability coverage for bodily injury of at least one hundred
12 thousand dollars per person with an aggregate of at least three
13 hundred thousand dollars, and for property damage of at least fifty
14 thousand dollars per accident with an aggregate of at least one
15 hundred thousand dollars; (2) written notice in the form of a certificate

16 of notice executed by all public utilities having service connections
 17 within the premises proposed to be demolished, stating that such
 18 utilities have severed such connections and service; (3) written notice
 19 that such person is the holder of a current valid license issued under
 20 the provisions of section 29-402, or is exempted from such license
 21 requirement as provided in subsection (c) of said section; and (4) a
 22 written declaration by such person that the town or city and its agents
 23 shall be saved harmless from any claim or claims arising out of the
 24 negligence of the applicant or the applicant's agents or employees in
 25 the course of the demolition operations. No permit shall be issued
 26 under this section unless signed by the owner and the demolition
 27 contractor. Each such permit shall contain a printed intention on the
 28 part of the signers to comply with the provisions of this part.

29 (b) [In addition to the powers granted pursuant to this part, any]
 30 Any town, city or borough may impose, by ordinance, a waiting
 31 period of not more than one hundred eighty days before granting any
 32 permit for the demolition of any building or structure or any part
 33 thereof, except when the demolition permit is required for the removal
 34 of a structure acquired by the Department of Transportation for a
 35 transportation project.

36 (c) If a waiting period is imposed by a town, city or borough
 37 pursuant to subsection (b) of this section, the person seeking the
 38 permit shall take no action toward demolition of the building,
 39 structure or part thereof, including, but not limited to, site remediation
 40 and asbestos abatement, during the waiting period. The provisions of
 41 this subsection shall not apply in the event that the building official
 42 determines that compliance with this subsection would result in a
 43 danger to public health.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	29-406

PD

Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill prohibits, in municipalities that impose a waiting period before granting a demolition permit for a building or structure, a permit applicant from taking any action toward demolition during that time. This has no fiscal impact, as it is a regulation imposed on private industry.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 330*****AN ACT CONCERNING DEMOLITION PERMITS.*****SUMMARY:**

This bill prohibits, in municipalities that impose a waiting period before granting a demolition permit for a building or structure, a permit applicant from taking any action toward demolition during that time. Prohibited actions include site remediation and asbestos abatement. The prohibition does not apply if the municipality's building official determines it would endanger public health.

By law, municipalities may adopt an ordinance imposing a waiting period of up to 180 days before granting a permit for a building or structure's demolition. The waiting period does not apply to permits for removal of structures the Department of Transportation acquires for transportation projects.

EFFECTIVE DATE: October 1, 2016

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 19 Nay 1 (03/18/2016)